

YEAS—23.

Bell,
Calhoun,
Camp,
Davis,
Evans,
Farrar,
Fowler,
Harrison,

Getzendaner,
Glasscock,
Hall,
Houston of Bexar,
Jones,
Kilgore,
Knittel,
Peacock,

Perry,
Pfeuffer,
Pope,
Shannon,
Terrell,
Traylor,
Woods.

NAYS—4.

Harrison,
Houston of Wheeler,

Randolph,

Stinson.

Senator Shannon moved to suspend the constitutional rule, and place the bill in its third reading.
Adopted by the following vote:

YEAS—22.

Bell,
Calhoun,
Camp,
Davis,
Evans,
Farrar,
Fowler,
Harrison,

Getzendaner,
Glasscock,
Hall,
Houston of Bexar,
Jones,
Kilgore,
Knittel,

Peacock,
Perry,
Pfeuffer,
Pope,
Shannon,
Terrell,
Traylor.

NAYS—5.

Harrison,
Houston of Wheeler,

Randolph,
Stinson,

Woods.

The bill was read third time and passed by the following vote:

YEAS—23.

Bell,
Calhoun,
Camp,
Davis,
Evans,
Farrar,
Fowler,
Harrison,

Getzendaner,
Glasscock,
Hall,
Houston of Bexar,
Jones,
Kilgore,
Knittel,
Peacock,

Perry,
Pfeuffer,
Pope,
Shannon,
Terrell,
Traylor,
Woods.

NAYS—4.

Harrison,
Houston of Wheeler,

Randolph,

Stinson.

Senator Stinson submitted the following minority report:

COMMITTEE ROOM,
AUSTIN, March 10, 1885.

Hon. Barnett Gibbs, President of the Senate:

A minority of your Judiciary Committee No. 2, to whom was referred substitute House bill No. 41, entitled "An act to amend chapter 1, title 10 of the Code of Criminal Procedure of the State of Texas," and upon which a majority of your committee have reported unfavorably, have carefully examined said bill and recommend that it do pass.
The bill does not tend to deprive the defendant, in a criminal case, of any material right, but in the main only provides for a judgment and conviction, in all respects regular, shall not be reversed on account of clerical errors or omissions in the judgment of conviction, statements of facts and transcripts, and would, if it became a law, tend to establish justice.

All of which is respectfully submitted.

STINSON,
BELL,
CALHOUN,
for minority.

On motion of Senator Pope,
The Senate adjourned till 10 o'clock to-morrow morning.

FIFTIETH DAY.

SENATE CHAMBER,
AUSTIN, March 12, 1885. }

The Senate met pursuant to adjournment.
Lieutenant-Governor Gibbs in the chair.
Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Getzendaner,

The reading of the journal of yesterday was dispensed with.

Senate bill No. 189, "An act to annul and cancel all locations and surveys made thereunder and patents issued upon any land situate in the county of Greer, and to restore said land to the respective funds to which they belong," was laid before the Senate as the first special order and read the second time.

By leave, Senator Peacock sent up the following report:

COMMITTEE ROOM,
AUSTIN, March 10, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Public Lands, to whom was referred Senate bill No. 184, entitled "An act to donate all the public domain in the State of Texas to the public free school fund," have had the same under consideration, and instruct me to report the accompanying substitute therefor, and to recommend that such substitute do pass.

All of which is respectfully submitted.

PEACOCK, Chairman.

Bill read first time with substitute, "An act to dispose of the vacant lands of the State."

(Senator Shannon, President pro tem., in the chair.)

By leave, Senator Traylor sent up the following special committee report:

COMMITTEE ROOM,
AUSTIN, March 12, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your committee to whom was referred the resolution of the Senate looking to the purchase of the granite quarries in Burnett county, from which the granite is furnished in the construction of the new Capitol, had a conference with the owners of said granite, who at first talked as if they were willing to dispose of them to the State on fair terms and at a fair price; but upon being requested by your committee to make a proposition in writing, they seemed to have reconsidered their first conclusions, and so far have made no proposition for sale to the State of the property named.

Your committee are under the impression the owners of said granite concluded after taking in the situation, that the material for the construction of the new Capitol would be changed from limestone to granite, in which event it would be an unwise business transaction on their part to part with the title to the property referred to.

All of which is respectfully submitted.

TRAYLOR,
PFEUFFER.

Senator Harrison offered the following substitute for the bill, entitled:

"An act to require the Attorney-General to bring suit to recover all lands and cancel all patents illegally issued for any and all lands belonging to the State, the free school fund, or any other special fund of the State, and to fix venue for such suits."

On motion of Senator Bell,

The Senate took a ten minutes recess.

SENATE CONVENED.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 12, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed to inform your honorable body of the passage of:

Substitute House bills Nos. 8, 34 and 70, "An act to provide for the leasing and sale of the lands heretofore or that may hereafter be surveyed and set apart for the benefit of the common school, the University, the Lunatic, Blind, Deaf and Dumb, and Orphan Asylum funds."

Substitute House bill No. 188, "An act to incorporate the Grand Royal Arch Chapter of Texas."

House bill No. 343, "An act to amend the Revised Civil Statutes of the State of Texas, title 17, by adding thereto article 340a, and to amend article 375 thereof"

Respectfully,

A. D. SADLER,
Chief Clerk House Representatives.

On motion of Senator Terrell,

One hundred copies of the land bill just reported were ordered printed for the use of the Senate.

House bill No. 188 was referred to Committee on State Affairs.

House bill No. 343 was referred to Judiciary Committee No. 1.

Substitute House bills Nos. 8, 34 and 70 was referred to Committee on Public Lands.

Senator Bell sent up the following privileged report:

COMMITTEE ROOM,
AUSTIN, March 12, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 270, being "An act to protect persons in the employment of railway companies, and those who may wish to become employees thereof, and to better protect the property of railway companies," and find the same correctly engrossed.

BELL, Chairman.

Senator Harrison offered to amend by adding:

'Provided, the operation of this law shall apply only to the territorial limits of Greer county.'

Adopted.

The substitute was adopted by the following vote:

YEAS—12.

Bell,	Garrison,	Perry,
Camp,	Getzendaner,	Shannon,
Farrar,	Hall,	Stinson,
Fowler,	Harrison,	Traylor.

NAYS—11.

Calhoun,	Kilgore,	Pope,
Davis,	Knittel,	Terrell,
Evans,	Peacock,	Woods.
Glasscock,	Pfeuffer,	

ABSENT, NOT VOTING.

Houston of Bexar, Jones, Randolph.

Senator Houston of Wheeler was excused by the Senate, on account of connection with the lands treated in the bill, as attorney, from voting.

Senator Davis offered to amend the caption so as to confine the law to Greer county.

Adopted.

The bill, as substituted, was ordered engrossed by the following vote:

YEAS—19.

Bell,	Garrison,	Randolph,
Calhoun,	Getzendaner,	Shannon,
Camp,	Hall,	Stinson,
Davis,	Harrison,	Terrell,
Evans,	Jones,	Traylor,
Farrar,	Perry,	Woods.
Fowler,		

NAYS—7.

Glasscock,	Knittel,	Pfeuffer,
Houston of Bexar,	Peacock,	Pope.
Kilgore,		

(Senator Terrell in the chair.)

House bill No. 428, "An act to amend article 4687 of the Revised Civil Statutes of the State of Texas, the second special order, was laid before the Senate and read the second time.

Senator Woods moved to strike out the engrossed rider.

Withdrawn.

The bill was passed to third reading.

On motion of Senator Davis,

The constitutional rule was suspended, and

The bill was placed on its final passage by the following vote:

YEAS—25.

Bell,	Glasscock,	Pfeuffer,
Calhoun,	Hall,	Pope,
Camp,	Houston of Bexar,	Randolph,
Davis,	Houston of Wheeler,	Shannon,
Evans,	Jones,	Stinson,
Farrar,	Kilgore,	Terrell,
Fowler,	Peacock,	Traylor,
Garrison,	Perry,	Woods.
Getzendaner,		

NAYS—none.

ABSENT, NOT VOTING.

Harrison,

Knittel.

The bill was read third time and passed by the following vote:

YEAS—24.

Bell,	Hall,	Pfeuffer,
Calhoun,	Houston of Bexar,	Pope,
Camp,	Houston of Wheeler,	Randolph,
Evans,	Jones,	Shannon,
Farrar,	Kilgore,	Stinson,
Garrison,	Knittel,	Terrell,
Getzendaner,	Peacock,	Traylor,
Glasscock,	Perry,	Woods.

NAYS—1.

Davis.

ABSENT, NOT VOTING.

Fowler,

Harrison.

On motion of Senator Perry,

Senate bill No. 260, "An act to amend articles 1006, 1007 and 1008 of an act entitled 'an act to amend articles 1006, 1007 and 1008 of the Revised Civil Statutes of the State of Texas,' approved February 21, 1879, passed by the Eighteenth Legislature and approved April 9, 1883," was taken up out of its regular order and read the second time.

Senator Pope entered a motion to reconsider the vote by which House bill No. 428 (the railroad bill) had just been passed with emergency clause.

Senate bill No. 260 was ordered engrossed.

On motion of Senator Perry,

The constitutional rule was suspended, and

The bill was placed on its third reading by the following vote:

YEAS—25.

Calhoun,	Glasscock,	Pfeuffer,
Camp,	Hall,	Pope,
Davis,	Houston of Bexar,	Randolph,
Evans,	Houston of Wheeler,	Shannon,
Farrar,	Jones,	Stinson,
Harrison,	Kilgore,	Terrell,
Getzendaner,	Peacock,	Traylor,
	Perry,	Woods.

NAYS—none.

ABSENT, NOT VOTING.

Kleberg.

The bill was read third time and passed.
On motion of Senator Davis,
The special orders were postponed and House
on third reading were taken up.
House bill No. 118, "An act to amend chapter 6 of
§ 29 of the Revised Civil Statutes of Texas, by
adding thereto, after article 1241, another article to
be called 1241a," was laid before the Senate, read
third time and passed.
Substitute House bill No. 126, "An act to amend
article 358 of chapter 3, title 11 of the Penal Code of
the State of Texas," was laid before the Senate and
read third time.

Senator Davis offered the following amendment:

Strike out the second Senate amendment."

Senator Hall moved to postpone action on the bill
to-morrow at eleven o'clock.

Senator Fowler moved to postpone the bill in-
definitely.

Senator Stinson moved to table the motion to
postpone indefinitely.

Adopted by the following vote:

YEAS—17.

Calhoun,	Garrison,	Randolph.
Camp,	Getzendaner,	Shannon,
Davis,	Harrison,	Stinson,
Evans,	Kilgore,	Terrell,
Farrar,	Peacock,	Traylor.
	Perry,	

NAYS—10.

Harrison,	Houston of Wheeler,	Pfeuffer,
Peacock,	Jones,	Pope,
Houston of Bexar,	Knittel,	Woods.

Senator Stinson moved to table the motion to post-
pone till to-morrow:

Adopted.

Senator Bell offered to substitute the amendment
Senator Davis as follows:

Amend the second Senate amendment by adding thereto
"when only the table or alley fees are bet thereon."

Adopted by the following vote:

YEAS—9.

Calhoun,	Farrar,	Stinson,
Camp,	Glasscock,	Traylor,
Davis,	Randolph,	Woods.

NAYS—18.

Harrison,	Peacock,
Houston of Bexar,	Perry,
Houston of Wheeler,	Pfeuffer,
Jones,	Pope,
Kilgore,	Shannon,
Knittel,	Mr. President.

The amendment of Senator Davis was lost by the
following vote:

YEAS—13.

Calhoun,	Garrison,	Perry,
Camp,	Getzendaner,	Shannon,
Davis,	Kilgore,	Stinson,
Evans,	Peacock,	Terrell.
Farrar,		

NAYS—14.

Bell,	Houston of Bexar,	Pope,
Fowler,	Houston of Wheeler,	Randolph,
Glasscock,	Jones,	Traylor,
Hall,	Knittel,	Woods.
Harrison,	Pfeuffer,	

Senator Houston of Wheeler offered the following
amendment:

Amend by adding, after the word "and," "any person, firm
or association who shall keep or be concerned in keeping any
business known as a 'bucket shop.'"

Senator Davis moved the previous question on the
amendment and passage of the bill.

Previous question seconded.

The Senate refused to order the main question by
the following vote:

YEAS—12.

Calhoun,	Garrison,	Perry,
Davis,	Getzendaner,	Randolph,
Evans,	Harrison,	Shannon,
Farrar,	Kilgore,	Traylor.

NAYS—15.

Bell,	Houston of Bexar,	Pfeuffer,
Camp,	Houston of Wheeler,	Pope,
Fowler,	Jones,	Stinson,
Glasscock,	Knittel,	Terrell,
Hall,	Peacock,	Woods.

Senator Jones offered to amend the amendment
by adding "or who shall keep any table on which is
commonly played the game of poker."

On motion of Senator Terrell,

The Senate adjourned till eight o'clock this even-
ing by the following vote:

YEAS—15.

Calhoun,	Hall,	Perry,
Camp,	Houston of Bexar,	Pfeuffer,
Fowler,	Houston of Wheeler,	Randolph,
Garrison,	Jones,	Shannon,
Glasscock,	Knittel,	Terrell.

NAYS—10.

Bell,	Getzendaner,	Peacock,
Davis,	Harrison,	Stinson,
Evans,	Kilgore,	Woods.
Farrar,		

ABSENT, NOT VOTING.

Pope,

Traylor.

EVENING SESSION.

Senate met pursuant to adjournment.
Lieutenant-Governor Gibbs in the chair.
Roll called.

Quorum present.

The Senate resumed consideration of substitute
House bill No. 126.

Senator Houston of Wheeler withdrew his amend-
ment.

Senator Jones withdrew his amendment.

Senator Houston of Wheeler offered the following amendment:

If any person shall, directly or through an agent or agents, manage or superintend for himself, or as agent or representative of any other person, conduct, carry on or transact any business which is commonly known as a dealer in futures, cotton, grain, any kind of meats or stocks, or keep any house commonly known as a produce or stock exchange, or bucket shop, where future contracts are bought and sold, with no intention of an actual delivery of the article so bought or sold, or any house appertaining thereto, such person, whether acting for himself or for others as aforesaid, shall be deemed guilty of a misdemeanor, and upon conviction in any court of competent jurisdiction, shall be fined in any sum, for the first offense, not less than twenty-five dollars and not more than one hundred dollars, and for the second and each subsequent violation, may, in addition to said fine, be imprisoned in the county jail not less than ten days nor more than ninety days; provided, that each day shall constitute a separate offense.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 12, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed by the House to inform your honorable body of the passage of the following bills:

Senate bill No. 46, "An act for the relief of Wm. S. Booth, S. F. Grimes and the heirs of Henry Leftridge, deceased."

Senate bill No. 65, "An act to amend article 690, chapter 90 of the Penal Code, as amended April 4, 1881."

House bill No. 152, "An act to amend articles 2812, 2813, 2814, 2815, 2816, 2817, 2819 and 2823 of chapter 6, title 48 of the Revised Civil Statutes of the State of Texas."

House bill No. 354, "An act to restore to and confer upon the county courts of Atascosa, Young, Leon, Dimmitt, Montgomery and Burnet counties the civil and criminal jurisdiction heretofore belonging to said courts under the Constitution and general statutes of the State, to conform the jurisdiction of the district court to such change, and to repeal all laws in conflict with the provisions of this act."

House bill No. 398, "An act to authorize cities and towns to levy and collect taxes for the erection, construction or purchase of public buildings, streets, sewers and other permanent improvements."

A. D. SADLER,
Chief Clerk, House of Representatives.

House bill No. 152, was referred to Committee on Insurances, Statistics and History.

House bill No. 354, was referred to Judiciary Committee No. 1.

House bill No. 398 was referred to Committee on State Affairs.

Senator Bell sent up the following privileged reports:

COMMITTEE ROOM,
AUSTIN, March 12, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared substitute for Senate bill No. 189, being "An act to require the Attorney-General to bring suit to recover all lands and cancel all patents illegally issued for any and all lands situated within the territorial limits of Greer county, belonging to the State, the free school fund, or any other special fund of the State, and so fix the venue for such suits," and find the same correctly engrossed.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, March 12, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 260, being "An act to amend articles 1006, 1007 and 1008 of an act entitled 'an act to amend articles 1006, 1007 and 1008 of the Revised Civil Statutes of the State of Texas,' approved February 21, 1879, passed by the Eighteenth Legislature, and approved April 9, 1883," and find the same and find it correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, March 12, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate substitute for House bill No. 249, being "An act to authorize the county commissioners' court to set aside from year to year not exceeding one-half of the road and bridge tax to purchase and establish free bridges; also to validate bonds heretofore issued for bridge purposes," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

(Senator Randolph in the chair.)

Senator Shannon (President pro tem.) in the chair

Pending discussion on the gambling bill, to-wit Substitute House bill No. 126, reference was made to the pending of certain measures in the House of Representatives.

Senator Houston of Bexar raised the point of order that the allusions to the House proceedings were out of order.

The point of order was sustained.

Senator Stinson moved the previous question on the amendment and the passage of the bill.

Seconded, and the Senate, by the following vote refused to order the main question:

YEAS—9.		
Calhoun,	Garrison,	Shannon,
Davis,	Getzendaner,	Stinson,
Evans,	Kilgore,	Traylor.

NAYS—17.		
Bell,	Houston of Bexar,	Pfeuffer,
Camp,	Houston of Wheeler,	Pope,
Fowler,	Jerdone,	Randolph,
Glasscock,	Jones,	Terrell,
Hall,	Knittel,	Woods.
Harrison,	Perry,	

ABSENT, NOT VOTING.

Farrar, Peacock.

(The President in the chair.)

Pending the further discussion of the bill allusions were made to a member of the House of Representatives, and

Senator Terrell made the point of order that allusions to members of the House were out of order.

The point of order was sustained.

Senator Davis moved the previous question on the amendment and the passage of the bill.

Seconded, and

Main question ordered.

The amendment was lost by the following vote:

YEAS—10.		
Fowler,	Houston of Wheeler,	Pfeuffer,
Glasscock,	Jones,	Pope,
Hall,	Knittel,	Woods.
Houston of Bexar,		

NAYS—16.		
Bell,	Harrison,	Randolph,
Calhoun,	Jerdone,	Shannon,
Camp,	Kilgore,	Stinson,
Davis,	Peacock,	Terrell,
Evans,	Perry,	Traylor.
Garrison,		

ABSENT, NOT VOTING.

Farrar, Getzendaner.

The bill was passed by the following vote:

YEAS—17.		
Bell,	Harrison,	Randolph,
Calhoun,	Jones,	Shannon,
Camp,	Kilgore,	Stinson,
Davis,	Peacock,	Terrell,
Evans,	Perry,	Traylor.
Garrison,	Pope,	

NAYS—9.

Fowler, Houston of Bexar, Knittel,
Glasscock, Houston of Wheeler, Pfeuffer,
Hall, Jerdone, Woods.

ABSENT, NOT VOTING.

Farrar, Getzendaner.

Senator Pope moved to reconsider the vote by which the bill was passed, and moved a call of the Senate.

Call sustained.

Senators Farrar and Getzendaner were found absent without excuse.

Senator Peacock moved to excuse the absent Senators.

Lost by the following vote:

YEAS—14.

Bell, Harrison, Shannon,
Calhoun, Kilgore, Stinson,
Davis, Peacock, Terrell,
Evans, Perry, Traylor,
Garrison, Randolph,

NAYS—12.

Camp, Houston of Bexar, Knittel,
Fowler, Houston of Wheeler, Pfeuffer,
Glasscock, Jerdone, Pope,
Hall, Jones, Woods.

Senator Pope sent up the following resolution:

Resolved, That it is the sense of a majority of this Senate that from present surroundings it is not feasible to hold any more nocturnal sessions.

Lost.

Senator Calhoun moved to adjourn till 10 o'clock to-morrow morning.

Withdrawn.

Senator Woods renewed the motion to adjourn till 10 o'clock to-morrow morning.

Lost by the following vote:

YEAS—10.

Fowler, Houston of Wheeler, Pfeuffer,
Glasscock, Jerdone, Pope,
Hall, Knittel, Woods.
Houston of Bexar,

NAYS—16.

Bell, Harrison, Randolph,
Calhoun, Jones, Shannon,
Camp, Kilgore, Stinson,
Davis, Peacock, Terrell,
Evans, Perry, Traylor,
Garrison,

ABSENT, NOT VOTING.

Farrar, Getzendaner.

The Sergeant-at-Arms was dispatched to bring the absent Senators into the Senate chamber.

Senator Jones moved to take up Senate bill No. 249, "An act to provide for the safe keeping and preservation of the Texas exhibits at the New Orleans World's Fair."

Senator Davis moved a call of the Senate.

Call sustained.

Senators Farrar and Getzendaner were found absent without excuse.

Senator Davis moved to excuse the absent Senators.

Lost by the following vote:

YEAS—14.

Bell, Davis, Garrison,
Calhoun, Evans, Houston of Wheeler,

Kilgore, Randolph, Terrell,
Peacock, Shannon, Traylor,
Perry, Stinson,

NAYS—12.

Camp, Harrison, Knittel,
Fowler, Houston of Bexar, Pfeuffer,
Glasscock, Jerdone, Pope,
Hall, Jones, Woods.

Senator Pope moved to adjourn till 9 o'clock to-morrow morning.

Lost by the following vote:

YEAS—11.

Fowler, Houston of Wheeler, Pfeuffer,
Glasscock, Jerdone, Pope,
Hall, Jones, Woods.
Houston of Bexar, Knittel,

NAYS—15.

Bell, Garrison, Randolph,
Calhoun, Harrison, Shannon,
Camp, Kilgore, Stinson,
Davis, Peacock, Terrell,
Evans, Perry, Traylor.

ABSENT, NOT VOTING.

Farrar, Getzendaner.

Senator Davis moved to excuse absentees.

Lost by the following vote:

YEAS—15.

Bell, Garrison, Randolph,
Calhoun, Harrison, Shannon,
Camp, Kilgore, Stinson,
Davis, Peacock, Terrell,
Evans, Perry, Traylor.

NAYS—10.

Fowler, Houston of Wheeler, Pfeuffer,
Glasscock, Jones, Pope,
Hall, Knittel, Woods.
Houston of Bexar,

Senate bill No. 64, "An act to provide for the management and control of the lands set aside for the benefit of the University of Texas," was laid before the Senate in its regular order.

Senator Pope moved a call of the Senate.

Call sustained.

Senators Farrar, Getzendaner and Jerdone were found absent without excuse.

Senator Fowler moved to adjourn till 2:30 o'clock to-morrow morning.

Lost by the following vote:

YEAS—18.

Fowler, Houston of Bexar, Pfeuffer,
Getzendaner, Jones, Pope,
Hall, Perry.

NAYS—18.

Bell, Glasscock, Randolph,
Calhoun, Harrison, Shannon,
Camp, Houston of Wheeler, Stinson,
Davis, Kilgore, Terrell,
Evans, Knittel, Traylor,
Garrison, Peacock, Woods.

ABSENT, NOT VOTING.

Farrar, Jerdone,

Senator Jones moved to take a recess of fifteen minutes.

Lost by the following vote:

YEAS—9.

Fowler, Houston of Wheeler, Pfeuffer,
Hall, Jones, Pope,
Houston of Bexar, Knittel, Woods.

NAYS—17.

Bell,	Getzendaner,	Randolph,
Calhoun,	Glasscock,	Shannon,
Camp,	Harrison,	Stinson,
Davis,	Kilgore,	Terrell,
Evans,	Peacock,	Traylor.
Garrison,	Perry,	

ABSENT, NOT VOTING.

Farrar,	Jerdone.
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Senators Farrar and Getzendaner were announced in the bar of the Senate Chamber.

Senator Davis raised the point of order that Senator Jerdone was present when the call of the Senate was taken, and therefore the Senate was full.

The point of order was sustained.

Senator Davis moved to table the motion of Senator Pope to reconsider.

Senator Houston of Bexar moved a call of the Senate.

Call sustained.

Senator Jerdone was found absent without excuse.

Senator Stinson moved to excuse Senator Jerdone.

Lost by the following vote:

YEAS—17.

Bell,	Garrison,	Randolph,
Calhoun,	Getzendaner,	Shannon,
Camp,	Harrison,	Stinson,
Davis,	Kilgore,	Terrell,
Evans,	Peacock,	Traylor.
Farrar,	Perry,	

NAYS—10.

Fowler,	Houston of Wheeler,	Pfeuffer,
Glasscock,	Jones,	Pope,
Hall,	Knittel,	Woods.
Houston of Bexar,		

Senator Pope moved to excuse Senator Farrar on account of sickness.

Senator Houston of Bexar moved to adjourn till 10 o'clock to-morrow morning.

Lost by the following vote:

YEAS—12.

Farrar,	Harrison,	Knittel,
Fowler,	Houston of Bexar,	Pfeuffer,
Glasscock,	Houston of Wheeler,	Pope,
Hall,	Jones,	Woods.

NAYS—15.

Bell,	Garrison,	Randolph,
Calhoun,	Getzendaner,	Shannon,
Camp,	Kilgore,	Stinson,
Davis,	Peacock,	Terrell,
Evans,	Perry,	Traylor.

On motion of Senator Davis,

The absent Senator was excused by the following vote:

YEAS—18.

Bell,	Garrison,	Perry,
Calhoun,	Getzendaner,	Randolph,
Camp,	Harrison,	Shannon,
Davis,	Kilgore,	Stinson,
Evans,	Knittel,	Terrell,
Farrar,	Peacock,	Traylor.

NAYS—9.

Fowler,	Houston of Bexar,	Pfeuffer,
Glasscock,	Houston of Wheeler,	Pope,
Hall,	Jones,	Woods.

The motion of Senator Davis to lay the motion to reconsider on the table was put, but

No quorum voted.

Senator Jerdone was announced present, and the Senate was declared full.

Senator Davis moved to excuse Senator Peacock indefinitely.

Adopted by the following vote:

YEAS—27.

Bell,	Glasscock,	Perry,
Calhoun,	Hall,	Pfeuffer,
Camp,	Harrison,	Pope,
Davis,	Houston of Bexar,	Randolph,
Evans,	Houston of Wheeler,	Shannon,
Farrar,	Jerdone,	Stinson,
Fowler,	Jones,	Terrell,
Garrison,	Kilgore,	Traylor,
Getzendaner,	Knittel,	Woods.

NAYS—none.

Senator Woods moved to excuse Senator Jerdone. The motion received the following vote:

YEAS—14.

Bell,	Hall,	Pfeuffer,
Camp,	Houston of Bexar,	Pope,
Farrar,	Houston of Wheeler,	Randolph,
Fowler,	Knittel,	Woods.
Glasscock,	Perry,	

NAYS—11.

Calhoun,	Getzendaner,	Stinson,
Davis,	Jones,	Terrell,
Evans,	Kilgore,	Traylor.
Garrison,	Shannon,	

The Senate was declared full and the call suspended, and Senator Jerdone was declared excused by a majority vote:

The motion to table the motion to reconsider was again put, and

No quorum voted on the motion.

Senator Randolph moved a call of the Senate.

Call sustained.

The Senate was declared full.

The motion to lay the motion to reconsider on the table was again put, and

No quorum voted.

Senator Jones moved to adjourn till 10 o'clock to-morrow morning.

Lost by the following vote:

YEAS—10.

Farrar,	Houston of Bexar,	Knittel,
Fowler,	Houston of Wheeler,	Pfeuffer,
Glasscock,	Jones,	Woods.
Hall,		

NAYS—15.

Bell,	Garrison,	Randolph,
Calhoun,	Getzendaner,	Shannon,
Camp,	Harrison,	Stinson,
Davis,	Kilgore,	Terrell,
Evans,	Perry,	Traylor.

NOT VOTING.

Pope.

The motion to lay the motion to reconsider on the table was again put, and

No quorum present.

Senator Davis moved a call of the Senate.

Call sustained, and

Senate declared full.

The motion to table the motion to reconsider was adopted by the following vote:

YEAS—16.

Bell,
Calhoun,
Camp,
Davis,
Evans,
Farrar,

Garrison,
Getzendaner,
Harrison,
Kilgore,
Perry,

Randolph,
Shannon,
Stinson,
Terrell,
Traylor.

NAYS—5.

Glasscock,
Houston of Bexar,

Houston of Wheeler, Woods,
Jones,

NOT VOTING.

Fowler,
Hall,

Knittel,
Pfeuffer,

Pope.

On motion of Senator Terrell,
The Senate adjourned till 10:30 o'clock to-morrow morning.

FIFTY-FIRST DAY.

SENATE CHAMBER,
AUSTIN, March 13, 1885. }

Senate met pursuant to adjournment.
Lieutenant-Governor Gibbs in the chair.
Roll called:
Quorum present.
Prayer by the Chaplain, Dr. Smoot.
On motion of Senator Calhoun,
The reading of the journal of yesterday was dispensed with.

The President appointed Senators Stinson, Getzendaner and Fowler the special committee to whom Senate bill No. 175 (the Houston of Bexar Insurance bill), was referred, for the purpose of having a suitable insurance bill prepared and substituted therefor.

BILLS AND RESOLUTIONS.

Senator Woods introduced the following resolution:

CONCURRENT RESOLUTION.

Whereas, a communication was addressed to the Capitol Commissioners of the State of Texas in the following words:

AUSTIN, TEXAS, November 6, 1884.

We, the undersigned, owners of survey No. 18, in Burnet county, Texas, and known as the William Slaughter east half league, upon which is the granite deposit whence the material for the water table of the new State Capitol was recently taken, hereby tender to the people of the State of Texas, free of all or any charge, all the granite stone required to complete the entire superstructure of the building.

G. W. LACEY,
W. H. WESTFALL,
N. L. NORTON.

Witness:

JOHN HANCOCK,
O. M. ROBERTS.

And, whereas, we regard the proposition contained in the above communication as indicative of a generous spirit and prompted by feelings of high patriotism; therefore be it

Resolved by the Senate, the House of Representatives concurring. That we, the representatives of the people in Legislature assembled, do thankfully accept the gift thus nobly tendered, and hereby express our high appreciation of the liberal donation, in behalf of the people of the State of Texas.

Adopted.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 13, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed by the House to inform your honorable body of the passage of the following bills:

Senate bill No. 121, "An act to amend section 35 of an act entitled 'an act to redistrict the State into judicial districts and to fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884,' approved April 9, 1883."

House bill No. 23, "An act to prevent the employing, retaining or harboring of minors against the consent of parents and guardians."

House bill No. 133, "An act to amend chapter 3, article 4405, relating to service on public roads."

House bill No. 483, "An act to amend article 1533 of the Revised Statutes."

House bill No. 526, "An act to define the duties of telegraph companies in the transfer of messages, and to provide adequate penalties for the enforcement thereof."

House bill No. 430, "An act to restrict the employment of sailors and crews of foreign vessels from rolling cotton, handling cargo, or laboring on the wharves or levees of ports in the State of Texas, beyond the end of the ships tackle."

House bill No. 570, "An act to validate all acts done, and all ordinances passed by the city council of Mexia, prior to February 3, 1885."

House bill No. 437, "An act to protect mechanics, operatives, book-keepers, clerks and laborers, who perform labor in any mill, factory, shop, store, office or farm, against the failure of owners, sub-owners, contractors or agents to pay their wages, and to provide a lien for such wages."

House bill No. 538, "An act to amend section 25 of 'an act to redistrict the State into judicial districts, and fix the times for holding courts therein, and to provide for the election of judges and district attorneys in said districts, at the next general election, to be held on the first Tuesday after the first Monday in November, 1884.'"

Respectfully,

A. D. SADLER,
Chief Clerk, House of Representatives.

House bills Nos. 430, 437 and 570 were referred to Committee on State Affairs.

House bill No. 23 was referred to Judiciary Committee No. 2.

House bill No. 133 was referred to Committee on Roads and Bridges.

House bill No. 483 was referred to Judiciary Committee No. 1.

House bill No. 526 was referred to Committee on Internal Improvements.

House bill No. 538 was referred to Committee on Judicial Districts.

The President gave notice of signing the following bills:

Substitute Senate bill No. 46, "An act for the relief of William S. Boothe, S. F. Grimes, and the heirs of Henry Leftridge, deceased."

Substitute Senate bill No. 65, "An act to amend article 690, chapter 90 of the Penal Code of the State of Texas, as amended April 4, 1881."

(Senator Shannon, President pro tem., in the chair.)

On motion of Senator Houston of Wheeler,
The first special order was postponed, and House bill No. 105, "An act to create the county of Val Verde, and to provide for its organization," the second special order, was taken up and read the second time.

On motion of Senator Houston of Wheeler,